

REMARKS

No amendment to the claims have been made in this Response. Claims 1, 5-10, 13, 14, 16, 17, 21-26, 29, 30, 32, 34, 38-43, 46, 49, 50, 52-55 and 59-63 are pending and under consideration. Claims 1, 5-10, 13, 14, 16, 17, 21-26, 29, 30, 32, 34, 38-43, 46, 49, 50, 52-55 and 59-63 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 4-15, 17-21, 24-35, 37-41 and 44-57 of co-pending Application No. 10/727,008.

A terminal disclaimer is being submitted herein to overcome the rejection. Accordingly, withdrawal of the rejection is respectfully requested.

Applicant asserts that the remarks presented herein are fully responsive to the Office Action and are sufficient to overcome the rejections presented in the Office Action. However, there may be other arguments to be made as to why the pending claims are patentable. Applicant does not concede any such arguments by having not presented them herein. Applicant respectfully asserts that the present claims are in condition for allowance. Withdrawal of the instant rejections and issuance of a Notice of Allowance is respectfully requested.

Should any issues remain outstanding, the Examiner is urged to telephone the undersigned to expedite prosecution. The Commissioner is authorized to charge any deficiencies and credit any overpayments to Deposit Account No. 13-2546.

Respectfully submitted,

Stadler et al.

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Date

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